

APPEAL NO. 022265
FILED OCTOBER 11, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on August 15, 2002. The hearing officer resolved the disputed issues by deciding that the appellant (claimant) did not have disability as a result of the injury sustained on _____, beginning November 8, 2001, and continuing through the date of the CCH and that the compensable injury sustained by the claimant on _____, does not extend to include the MRI findings dated June 25, 2002, for the bilateral knees. The claimant appealed, arguing that the great weight of the evidence is contrary to the hearing officer's findings. The respondent (carrier) responded, urging affirmance.

DECISION

Affirmed.

Conflicting evidence was presented at the CCH on the issues that have been appealed. The claimant had the burden to prove the extent of his compensable injury and that he has had disability as defined by Section 401.011(16). The hearing officer could consider the claimant's testimony and the medical reports. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. We conclude that the appealed determinations are supported by sufficient evidence and that they are not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **TRAVELERS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**C T CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Margaret L. Turner
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Gary L. Kilgore
Appeals Judge